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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,032	10/06/2003	Marcio dos Santos Galli	AOL0139	5291
22862 7590 12/28/2007 GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			EXAMINER BRUCKART, BENJAMIN R	
			ART UNIT 2155	PAPER NUMBER
			MAIL DATE 12/28/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/680,032

Applicant(s)

GALLI ET AL.

Examiner

Benjamin R. Bruckart

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Detailed Action

Status of Claims:

Claims 1-10, 12-33 are pending in this Office Action.

Claims 1-2, 4-10, 12-13, 15-17, 19-26, 29-33 are amended.

Claim 11 is cancelled.

The 35 U.S.C. 112, second paragraph rejection is withdrawn based on applicant's amendments.

The objection to the specification is withdrawn based on applicant's amendment.

The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP p 2100-8, c 2, I 45-48; p 2100-9, c 1, I 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense. The Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

Response to Arguments

Applicant's arguments filed in the amendment filed 11/2/07, have been fully considered but are moot in view of new grounds of rejection. The reasons set forth below.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claim 1 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "each of said user devices" in claim 1, first limitation.

There is insufficient antecedent basis for this limitation in the claim. Applicant refers to two or more users on a device but does not indicate a plurality of devices.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 11-12; 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 20040078424 by Yairi et al in view of U.S. Patent Publication 20030088623 by Kusuda.

Regarding claim 1, the Yairi reference teaches

a system for providing real-time communication over a global network in a session between two or more users, each of said two or more users using a device communicatively coupled to the global network (Yairi: page 2, para 23), said system comprising:

a client messaging application which runs on each of said users' devices, said client messaging application providing a user interface displayed on each of said user's device screen (Yairi: page 2, para 23), said user interface comprising:

a message entry window for a user to enter data (Yairi: Fig. 8B);

a communication window for displaying messages entered in said session (Yairi: Fig. 8B); and

a selection window for accessing one or more application agents, each of said one or more application agents being associated to an external application (Yairi: pages 1-2, para 9, page 4, para 38);

wherein when any of said one or more application agents is activated, said external application represented by said one or more activated application agents (Yairi: page 2, para 10; page 4, para 33; the web services).

The Yairi reference fails to teach one or more activated application agents is displayed on said user device screens in conjunction with said client messaging application.

However, the Kusuda reference teaches one or more activated application agents is displayed on said user device screens in conjunction with said client messaging application such that said two or more users in said session can instantly use said external application represented by said activated application agent without leaving said session (Kusuda: page 1, para 7; page 2, para 18-21) in order to provide collaboration between two users on one external application (Kusuda: page 1, para 10, 11).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of real time communication as taught by Yairi to include displaying the

activated agents on both devices) in order to provide collaboration between two users on one external application (Kusuda: page 1, para 10, 11).

Regarding claim 2, the system of claim 1, wherein said external application is either a local application in any of said user's device or a third party service on the global network (Yairi: pages 1-2, para 9; page 3, para 25; web service).

Regarding claim 3, the system of claim 2, wherein said third party service on the global network is any of: an instant translation service; a speech synthesis service; an automatic publishing service; a picture sharing service; a map sharing service; a quote service; and a Web search engine (Yairi: page 5, para 41, 47).

Regarding claim 4, the system of claim 1, wherein said activated application agent addresses said external applications on an other side of said session via the user's message protocol (Yairi: page 2, para 10).

Regarding claim 12, the system of claim 11, wherein said selection window displays any of:

a list of unregistered application agents, each of said unregistered application agents being available to be registered with said client messaging application (Yairi: page 4, para 39; Fig. 4, 8A); and

a list of registered application agents, each of said registered application agents being immediately available to be activated by a user (Yairi: page 4, para 39; Fig. 4, 8A).

Regarding claim 25, the Yairi reference teaches:

a method for incorporating external resources into an instant messaging session supported by an instant messaging system (Yairi: page 2, para 23), said instant messaging system

comprising a client messaging application which runs devices communicatively coupled to the Internet (Yairi: page 2, para 23), comprising the steps of:

said client messaging application providing a user interface displayed on each device's screen from which a user communicates with other users (Yairi: page 2, para 23), said user interface comprising a message entry window for said user to enter data (Yairi: Fig. 8B), a communication window for displaying messages entered in said instant messaging session (Yairi: Fig. 8B), and a selection window for accessing one or more application agents, each of said application agents being associated to an external application (Yairi: pages 1-2, para 9, page 4, para 38), the method further comprising the steps of:

activating a registered application agent from a list of registered application agents, wherein each of said registered application agents is instantly available to be activated by said user (Yairi: page 2, para 10; page 4, para 33).

The Yairi reference fails to teach sharing said external application.

However, the Kusuda reference teaches sharing said external application to which said activated application agent is associated with other users in said instant messaging session (Kusuda: page 1, para 7; page 2, para 18-21) in order to provide collaboration between two users on one external application (Kusuda: page 1, para 10, 11).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of real time communication as taught by Yairi to include displaying the activated agents on both devices) in order to provide collaboration between two users on one external application (Kusuda: page 1, para 10, 11).

Regarding claim 26, the method of claim 25, wherein said external application is either a local application in any of said devices communicatively coupled to the Internet or a third party service on the Internet (Yairi: page 2, para 23).

Regarding claim 27, the method of claim 26, wherein said third party service on the Internet is any of: an instant translation service; a speech synthesis service; an automatic publishing service; a picture sharing service; a map sharing service; a quote service; and a Web search engine (Yairi: page 5, para 41, 47).

Regarding claim 28, the method of claim 25, wherein at least one of said registered application agents is associated to an interactive service (Yairi: pages 1-2, para 9; page 3, para 25).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 20040078424 by Yairi et al in view of U.S. Patent Publication 20030088623 by Kusuda in further view of U.S. Patent Publication No. 20040125924 by McMullin et al.

Regarding claim 5, the modified Yairi reference teaches the system of claim 4. The modified Yairi reference fails to state binary data.

However, the McMullin reference teaches data transferred via said message protocol for addressing said external applications on said other side of said session is a sequence of characters that represents binary data (McMullin: page 3, para 34) in order to send data through a digital communications network (McMullin: page 3, para 34).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system as taught by Yairi to include binary data as taught by McMullin in order to send data through a digital communications network (McMullin: page 3, para 34).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 20040078424 by Yairi et al in view of U.S. Patent Publication 20030088623 by Kusuda in further view of U.S. Patent Publication No. 20040174392 by Bjoernsen et al.

Regarding claim 6, the modified Yairi reference teaches the system of claim 1, wherein said selection window for accessing one or more application agents further comprises:

one or more distinct visual cues, each of which being representative of one or more said application agents (Yairi: page 4, para 39; Fig. 4, 8a); and

said one or more distinct visual cues shown in association with contact in a contact list of a user (Yairi: page 4, para 39; Fig. 4, 8a).

The modified Yairi reference fails to teach associating contacts based on prior use.

However, the Bjoernsen reference teaches an association based on said user's prior use of said application agents with said contact (Bjoernsen: page 1, para 6; Fig. 10) in order to allow collaboration between users over instant messaging services (Bjoernsen: page 1, para 2, 4).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system as taught by Yairi to include a buddy list with popular and frequent contacts as taught by Bjoernsen in order to allow collaboration between users over instant messaging services (Bjoernsen: page 1, para 2, 4).

Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 20040078424 by Yairi et al in view of U.S. Patent Publication 20030088623 by Kusuda in further view of U.S. Patent Publication No. 20040174392 by Bjoernsen et al in further view of U.S. Patent Publication No. 20030177184 by Dickerman et al.

Regarding claim 7, the modified Yairi reference teaches the system of claim 6. The modified Yairi reference fails to teach the agent automatically activated.

However, the Dickerman reference teaches when a contact joins said session, said application agent represented by said one or more distinct visual cues associated with said contact are automatically activated (Dickerman: pages 6-7, para 34-36) in order to allow a user to invite other users to collaborate with the registered application (Dickerman: page 7, para 36).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system as taught by modified Yairi to include automatically activating an agent when a user joins in order to allow a user to invite other users to collaborate with the registered application (Dickerman: page 7, para 36).

Regarding claim 8, the modified Yairi reference teaches the system of claim 6. The modified Yairi reference fails to teach the agent automatically activated.

However, the Dickerman reference teaches, wherein any of said application agents can be registered as a contact in said contact list of said user contacts to create registered application agents (Dickerman: page 7, para 36) in order to allow a user to invite other users to collaborate with the registered application (Dickerman: page 7, para 36).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system as taught by modified Yairi to include automatically activating an agent when a user joins in order to allow a user to invite other users to collaborate with the registered application (Dickerman: page 7, para 36).

Regarding claim 9, the modified Yairi reference teaches the system of claim 8, wherein at least one of said registered application agents is associated to an interactive service (Yairi: pages 1-2, para 9; page 3, para 25),

Regarding claim 10, the modified Yairi reference teaches the system of claim 9. The modified Yairi reference fails to teach the other registered agents stacked on a registered agent.

However, the Dickerman reference teaches, wherein registered application agents can be run in conjunction with said interactive service associated with said at least one registered application agent (Dickerman: page 7, para 36) in order to allow users to invite other users to collaborate with other registered applications (Dickerman: page 7, para 36).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system as taught by modified Yairi to include automatically activating an agent when a user joins in order to allow a user to invite other users to collaborate with other registered applications (Dickerman: page 7, para 36).

Claims 13-20, 22; 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 20040078424 by Yairi et al in view of U.S. Patent Publication 20030088623 by Kusuda in further view of U.S. Patent No. 6,807,562 by Pennock et al.

Regarding claim 13, the modified Yairi reference teaches the system of claim 12.

The modified Yairi reference fails to state registering by dragging.

However, the Pennock reference teaches said user can register said unregistered application agent by dragging a symbol representative of said unregistered application agent from said list of unregistered application agents to said list of registered application agents (Pennock: col. 6, lines 6-32; col. 8, lines 44-54; Fig. 6) in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of claim 12 as taught by Yairi to include register an application agent by dragging a symbol representative of said application agent as taught by Pennock in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

Regarding claim 14, the modified Yairi reference teaches the system of claim 13.

The modified Yairi reference fails to state registering by a symbol.

However, the Pennock reference teaches, wherein said symbol is an icon or a title (Pennock: col. 6, lines 6-32; Fig. 6) in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of claim 12 as taught by Yairi to include a symbol representative of said application agent as taught by Pennock in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

Regarding claim 15, the modified Yairi reference teaches the system of claim 12.

The modified Yairi reference fails to state unregistering by dragging.

However, the Pennock reference teaches, wherein said user can unregister a registered application agent by leaving (Pennock: col. 16, lines 10-22) and a user can register application agents by dragging (Pennock: col. 6, lines 6-32; col. 8, lines 44-54; Fig. 6) in order to allow users to leave and close sessions (Pennock: col. 16, lines 10-22).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of claim 12 as taught by Yairi to include a unregistering agent applications by dragging as taught by Pennock in order to allow users to leave and close sessions (Pennock: col. 16, lines 10-22).

Regarding claim 16, the modified Yairi reference teaches the system of claim 12.

The modified Yairi reference fails to state registering by clicking.

However, the Pennock reference teaches, wherein said user can register an unregistered application agent by applying one or more mouse-clicking commands (Pennock: col. 8, lines 44-54) in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of claim 12 as taught by Yairi to include regi mouse-clicking as taught by Pennock in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

Regarding claim 17, the modified Yairi reference teaches the system of claim 12.

The modified Yairi reference fails to state registering by dragging.

However, the Pennock reference teaches, wherein the user can activate a registered application agent by dragging a symbol representative of said registered application agent from said selection window to said communication window (Pennock: col. 8, lines 44-54) in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of claim 12 as taught by Yairi to include register an application agent by dragging a symbol representative of said application agent as taught by Pennock in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

Regarding claim 18, the modified Yairi reference teaches the system of claim 17.

The modified Yairi reference fails to state registering by dragging a symbol.

However, the Pennock reference teaches, wherein said symbol is an icon or a title (Pennock: col. 6, lines 6-32; Fig. 6) in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of claim 12 as taught by Yairi to include register an application agent by dragging a symbol representative of said application agent as taught by Pennock in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

Regarding claim 19, the modified Yairi reference teaches the system of claim 12.

The modified Yairi reference fails to state registering by mouse clicking.

However, the Pennock reference teaches, wherein said user can activate a registered application agent by applying one or more mouse-clicking commands (Pennock: col. 6, lines 6-

32; Fig. 6) in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of claim 12 as taught by Yairi to include re mouse clicking as taught by Pennock in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

Regarding claim 20, the modified Yairi reference teaches the system of claim 12.

The modified Yairi reference fails to state a local program.

However, the Pennock reference teaches, wherein said user can activate a registered application agent from a local application (Pennock: col. 6, lines 6-32; col. 2, lines 20-28; gaming utility application) in order to launch the users software to enable collaboration between users (Pennock: col. 2, lines 20-28).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of claim 12 as taught by Yairi to include registered application agent from a local application as taught by Pennock in order to launch the users software to enable collaboration between users (Pennock: col. 2, lines 20-28).

Regarding claim 22, the modified Yairi reference teaches the system of claim 12.

The modified Yairi reference fails to state updating the list of unregistered agents.

However, the Pennock reference teaches, wherein said list of unregistered application agents is automatically updated by said client messaging application (Pennock: col. 2, lines 36-44) in order to display the availability status of entities in the buddy list (Pennock: col. 2, lines 36-44).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of claim 12 as taught by Yairi to include updating the list of unregistered

agents as taught by Pennock in order to display the availability status of entities in the buddy list (Pennock: col. 2, lines 36-44).

Regarding claim 29, the modified Yairi reference teaches the method of claim 25.

The modified Yairi reference fails to teach registering by dragging.

However the Pennock reference teaches:

registering an unregistered application agent by dragging a symbol representative of said unregistered application agent from a list of unregistered application agents to said list of registered application agents, wherein each of said unregistered application agents is available to be registered with said client messaging application (Pennock: col. 6, lines 6-32; col. 8, lines 44-54; Fig. 6) in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

unregistering a registered application agent by leaving or closing a session (Pennock: col. 16, lines 10-22) and Pennock teaches an interface that uses dragging (Pennock: col. 6, lines 6-32; col. 8, lines 44-54; Fig. 6) in order to allow users to leave and close sessions (Pennock: col. 16, lines 10-22).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of claim 12 as taught by Yairi to include register and unregister application agents by dragging a symbol representative of said application agent as taught by Pennock in order to allow a user users to join or leave collaboration session (Pennock: col. 8, lines 44-67).

Regarding claim 30, the modified Yairi reference teaches the method of claim 25.

The modified Yairi reference fails to teach registering by dragging.

However the Pennock reference teaches:

registering an unregistered application agent by applying a number of mouse-clicking commands (Pennock: col. 6, lines 6-32; col. 8, lines 44-54; Fig. 6) in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67); and

unregistering a registered application agent by applying a number of mouse-clicking commands (Pennock: col. 16, lines 10-22) in order to allow users to leave and close sessions (Pennock: col. 16, lines 10-22).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of claim 12 as taught by Yairi to include register and unregister application agents by dragging a symbol representative of said application agent as taught by Pennock in order to allow a user users to join or leave collaboration session (Pennock: col. 8, lines 44-67).

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 20040078424 by Yairi et al in view of U.S. Patent Publication 20030088623 by Kusuda in further view of U.S. Patent No. 6,807,562 by Pennock et al in further view of U.S. Patent Publication No. 20040174392 by Bjoernsen et al

Regarding claim 21, the modified Yairi reference teaches the system of claim 13.

The modified Yairi reference fails to state alias symbols.

However, the Pennock reference teaches, further comprising:

means for associating an alias of said symbol to a contact in said user's contact list (Pennock: col. 7, lines 50-62), in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of claim 12 as taught by Yairi to include register an application agent by dragging a symbol representative of said application agent as taught by Pennock in order to allow a user to select and register people to join a collaboration session (Pennock: col. 8, lines 44-67).

The modified Yairi reference fails to teach the associating based on prior user or frequency.

However, the Bjoernsen reference teaches an association based on said user's prior use with said contact, of said application agent represented by said symbol (Bjoernsen: page 1, para 6; Fig. 10) in order to allow collaboration between users over instant messaging services (Bjoernsen: page 1, para 2, 4).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system as taught by modified Yairi to include a buddy list with popular and frequently used contacts as taught by Bjoernsen in order to allow collaboration between users over instant messaging services (Bjoernsen: page 1, para 2, 4).

Claims 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 20040078424 by Yairi et al in view of U.S. Patent Publication 20030088623 by Kusuda in further view of U.S. Patent Publication No. 20030177184 by Dickerman et al.

Regarding claim 23, the modified Yairi reference teaches the system of claim 1. The modified Yairi reference fails to state activating agents upon inviting another user.

However, the Dickerman reference teaches wherein a user invites another user to activate one of said application agents in said session (Dickerman: page 7, para 41) in order to allow a user to invite other users to collaborate with the registered application (Dickerman: page 7, para 36).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system as taught by modified Yairi to include automatically activating an agent when a user joins in order to allow a user to invite other users to collaborate with the registered application (Dickerman: page 7, para 36).

Regarding claim 24, the modified Yairi reference teaches the system of claim 1. The modified Yairi reference fails to state activating agents upon inviting another user.

However, the Dickerman reference teaches, wherein said user interface further comprises: a system for selection by a user to initiate synchronous sharing of a third party service represented by an activated application agent (Dickerman: page 2, para 24, 26; page 7, para 36) in order to allow a user to invite other users to collaborate with the registered application (Dickerman: page 7, para 36).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system as taught by modified Yairi to include automatically activating an agent when a user joins in order to allow a user to invite other users to collaborate with the registered application (Dickerman: page 7, para 36).

Claims 31, 33 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 20040078424 by Yairi et al in view of U.S. Patent Publication 20030088623 by Kusuda in further view of U.S. Patent Publication No. 20040174392 by Bjoernsen et al

Regarding claim 31, the modified Yairi reference teaches the method of claim 24, comprising:

associating one or more of visual cues to a contact in a contact list of a user (Yairi: page 4, para 39; Fig. 4, 8A), each of said one or more visual cues representing one of said registered application agents (Yairi: page 4, para 39; Fig. 4, 8A).

The modified Yairi reference fails to state associating based on prior use or frequency.

However, the Bjoernsen reference teaches association based on said user's prior use or use frequency, with said contact, of said registered application agents (Bjoernsen: page 1, para 6; Fig. 10) in order to allow collaboration between users over instant messaging services (Bjoernsen: page 1, para 2, 4).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system as taught by modified Yairi to include a buddy list with popular and frequently used contacts as taught by Bjoernsen in order to allow collaboration between users over instant messaging services (Bjoernsen: page 1, para 2, 4).

Regarding claim 33, the method of claim 31, wherein said contact can be any of:

- a screen name representing a human contact (Yairi: Fig. 8B);
- a name or a visual cue representing an interactive service; and
- a name or a visual cue representing one of said registered application agents.

Claims 32 is rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 20040078424 by Yairi et al in view of U.S. Patent Publication 20030088623 by Kusuda in further view of U.S. Patent Publication No. 20040174392 by Bjoernsen et al in further view of U.S. Patent Publication No. 20030177184 by Dickerman et al.

Regarding claim 32, the modified Yairi reference teaches the method of claim 31.

The modified Yairi reference fails to teach the agent automatically activated.

However, the Dickerman reference teaches when a contact joins said session, said registered application agent represented by said associated visual cue is automatically activated (Dickerman: pages 6-7, para 34-36) in order to allow a user to invite other users to collaborate with the registered application (Dickerman: page 7, para 36).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system as taught by modified Yairi to include automatically activating an agent when a user joins in order to allow a user to invite other users to collaborate with the registered application (Dickerman: page 7, para 36).

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U. S. Patent Publication No. 20050021652 by McCormack teaches a chat program that interfaces with external applications for remote control and monitoring.

U. S. Patent Publication No. 20020091768 by Balasubramanian teaches collaboration on topics through threads and topics and whiteboards.

Application/Control Number:
10/680,032
Art Unit: 2155

Page 19

U. S. Patent Publication No. 20030097410 by Atkins a multi-user collaboration system.

REMARKS

The examiner thanks applicant for the interview 8/30/07. The applicant has amended the claims to include limitations of more collaboration and running the external application on two or more of the user's devices.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number 571-272-3982. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and after final communications. Any inquiry of a general nature or relating to the status of this

Application/Control Number:
10/680,032
Art Unit: 2155

Page 21

application or proceeding should be directed to the examiner whose telephone number is 571-
272-3982.

Benjamin R Bruckart
Examiner Art Unit 2155




PHILIP TRAN
PRIMARY EXAMINER